

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN PEROTTI,

Plaintiff,

v.

HELEN MARLBERRY, *et al.*,

Defendants.

Case No. 05-60172

Hon. John Corbett O'Meara
Magistrate Judge R. Steven Whalen

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING COMPLAINT**

Before the court is Magistrate Judge R. Steven Whalen's report and recommendation, dated February 20, 2013. The court extended the deadline for Plaintiff to file objections until March 15, 2013; however, no objections were filed.

The magistrate judge recommends that the court dismiss Plaintiff's complaint as to the remaining defendants. Plaintiff sought voluntary dismissal of his claims against the Ohio police officers, as he is pursuing remedies against them in Ohio. The magistrate judge determined that the court lacks personal jurisdiction over the other remaining defendants (two deputy U.S. marshals and a nurse), who are residents of Ohio. The court agrees with the magistrate judge's conclusions and adopts the report and recommendation as its own.

IT IS HEREBY ORDERED that Magistrate Judge R. Steven Whalen's February 20, 2013 report and recommendation is ADOPTED and Plaintiff's complaint is DISMISSED.

Dated: March 22, 2013

s/John Corbett O'Meara
United States District Judge

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, March 22, 2013, using the ECF system and/or ordinary mail.

s/Michael Williams
Relief Case Manager